

REMARKS

The Examiner is thanked for the indication that claims 7-10, 14-17, and 22-23 are allowable over the art of record, that claims 2, 12, and 20 are objected to but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, and that claim 13 would be allowable if rewritten to overcome the double patenting rejection.

Claims 1, 3-11, 13-19, and 21-23 are presented for consideration. Claims 1, 7, 11, 14, 18, and 22 are independent. By the foregoing Amendment, claims 1, 11, 13, and 18 have been amended and claims 2, 12, and 20 have been canceled. The Specification has been amended. Applicants believe that these changes introduce no new matter and their entry is respectfully requested.

Objection to the Specification

In paragraph 2 of the Office Action, the Examiner required that a new Title be provided. By the foregoing Amendment, Applicants have amended the Title to accommodate the Examiner. Accordingly, Applicants respectfully request that the Examiner reconsider and remove the objection to the Specification.

Rejection of Claims 1, 3, 11, 18, and 19 Under 35 U.S.C. §103(a)

In paragraph 4 of the Office Action, the Examiner rejected claims 1, 3, 11, 18, and 19 as unpatentable over U.S Patent Application No. 2003/0043824 to Remboski et al. (hereinafter “Remboski”) in view of U.S Patent No. 5,963,172 to Pfizenmaier et al. (hereinafter “Pfizenmaier”). To establish a *prima facie* case of obviousness, an Examiner must show that that there is some suggestion or motivation to modify a reference to arrive at the claimed invention, that there is some expectation of success, and that the cited reference teaches each and every element of the claimed invention. (MPEP §2143.) Applicants respectfully traverse the rejection.

Although Applicants believe claim 1 to be patentable as written, Applicants have amended claim 1 to incorporate the subject matter of claim 2, which the Examiner indicated would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Applicants respectfully submit that claim 1 is

now in condition for allowance. Claim 3 properly depends from claim 1. Accordingly, Applicant respectfully submits that claim 3 is in condition for allowance. (See MPEP §2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)). Applicant therefore respectfully requests that the Examiner reconsider and remove the rejection to claims 1 and 3.

Although Applicants believe claim 11 to be patentable as written, Applicants have amended claim 11 to incorporate the subject matter of claim 12, which the Examiner indicated would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Applicants respectfully submit that claim 11 is now in condition for allowance and respectfully requests that the Examiner reconsider and remove the rejection to claim 11.

Although Applicants believe claim 18 to be patentable as written, Applicants have amended claim 18 to incorporate the subject matter of claim 20, which the Examiner indicated would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 19 properly depends from claim 18 and Applicant respectfully submits that claim 19 is in condition for allowance. (See MPEP §2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)). Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claims 18-19.

Double Patenting Rejection of Claim 13

In paragraph 4 of the Office Action, the Examiner rejected claim 13 under 37 C.F.R. §1.75 and MPEP §706.03(k). By the foregoing, Applicants have amended claim 13 to depend from claim 11 and thus overcome the double patenting rejection. The Examiner indicated that claim 13 would be allowable if rewritten to overcome the double patenting rejection. Accordingly, Applicant respectfully requests that the Examiner reconsider and remove the rejection to claim 13.

CONCLUSION

Applicants respectfully submit that all grounds for rejection have been properly traversed, accommodated, or rendered moot and that the application is now in condition for allowance. The Examiner is invited to telephone the undersigned representative if the Examiner believes that an interview might be useful for any reason.

Respectfully submitted,

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